

IN THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISIONAPRIL AARON-BRUSH and GINGER
AARON-BRUSH,*Plaintiffs,*

vs.

LUTHER STRANGE in his official capacity as
Attorney General of Alabama, *et al.*,*Defendants.*

Case No.: 2:14-cv-01091-RDP

PLAINTIFFS' MOTION FOR ATTORNEYS' FEES

Pursuant to Rule 54 of the Federal Rules of Civil Procedure, 42 U.S.C. § 1983, and 42 U.S.C. § 1988, Plaintiffs hereby move the Court for an award of their attorneys' fees and non-taxable costs in this matter. Plaintiffs fairly estimate that they will seek to recover approximately \$149,382.00 in attorneys' fees and approximately \$606.30 in non-taxable costs they incurred in this case, in addition to time spent seeking the recovery.

Plaintiffs request that the Court set a briefing schedule on this motion and, pursuant to Fed.R.Civ.P. 42(b), bifurcate briefing the issue of entitlement of fees from the amount of fees. Rule 42(b) gives the Court discretion to bifurcate issues and claims "[f]or convenience, to avoid prejudice, or to expedite and economize." Fed.R.Civ.P. 42(b). Bifurcation here would satisfy both the convenience and expeditious purposes of the Rule. The Court's time would be greatly economized

because the parties may come to an agreement on the amount of fees should the Court determine that Plaintiffs are entitled to an award of fees.

Respectfully submitted,

s/ Randall C. Marshall

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CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record for defendants:

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